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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

STEVEN F. ROSENDAHL,
PLAINTIFF

v.

QUICK COLLECT, INC.,
an Oregon corporation,
DEFENDANT

Case No.: .

COMPLAINT
Fair Debt Collection Practices Act
DEMAND FOR JURY TRIAL

I. INTRODUCTION

1. This is an action for statutory damages brought by Plaintiff, Steven F. Rosendahl, an individual consumer, against Defendant, Quick Collect, Inc, for violations of the Fair Debt Collections Practices Act, 15 U.S.C. § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

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II. JURISDICTION

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k(d) and 28 U.S.C §§ 1337.

Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and 2202. Venue in the District of Oregon is proper in that Defendant transacts business here and the conduct complained of occurred here.

III. PARTIES

3. Plaintiff, Steven F. Rosendahl, is a natural person residing in the city of Portland, county of Multnomah, and state of Oregon.

4. Defendant, Quick Collect, Inc., is an Oregon corporation engaged in the business of collecting debt in this state with its principal place of business located at 5500 NE 107th Ave., Vancouver, WA 98683. The principal purpose of Defendant is the collection of debts in this state and Defendant regularly attempts to collect debts alleged to be due another.

5. Defendant is engaged in the collection of debts from consumers using the mail and telephone. Defendant regularly attempts to collect consumer debts alleged to be due to another. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6).

IV. FACTUAL ALLEGATIONS

6. On or about 6 June 2006, Plaintiff's wife, Danielle Rosendahl met with Dr. Robert Tennant, MD at the Orthopedic and Fracture Clinic as a translator to obtain treatment for Linda A. LaMear, a minor. Ms. LaMear's grandparents attended the meeting and were acting *in loco parentis* for Ms. LaMear. Plaintiff was not present at the meeting.

7. In order to obtain treatment for Ms. LaMear, Plaintiff's wife signed and agreed to the Orthopedic and Fracture Clinic's “Patient Financial Policy”. A copy is attached as EXHIBIT A and by this reference is incorporated herein. Plaintiff was not a party to this agreement.

8. On or about 1 February 2007, Defendant filed suit against Plaintiff and his wife in the Small Claims division of the Circuit Court of the State of Oregon for Washington County, Case No. C07-0539SC, in an attempt to collect a personal debt, the unpaid balance for medical services rendered by Dr. Robert E. Tennant, MD. A copy of the complaint is attached as EXHIBIT B and by this reference is incorporated herein.

9. On or about 20 February 2007, Defendant caused to be served on Plaintiff Washington County, Case No. C07-0539SC.

10. On or about 21 February 2007, Defendant sent a letter addressed to Plaintiff and his wife demanding payment of \$ 820.07, in an attempt to collect a personal debt, the unpaid balance for medical services rendered by Dr. Robert E. Tennant, MD. A copy is attached as EXHIBIT C and by this reference is incorporated herein.

11. On or about the month of March 2007, in an attempt to collect a personal debt, the unpaid balance for medical services rendered by Dr. Robert E. Tennant, MD, Defendant reported Plaintiff as a participant on a collection account for Dr. Robert E. Tennant, MD showing a balance of \$822 and caused this information to appear on Plaintiff's credit report. A copy of Plaintiff's credit report is attached as EXHIBIT D and by this reference is incorporated herein.

12. On or about 18 April 2007, Plaintiff was denied an additional card on his wife's American Express Account. A Copy of the rejection letter from American Express addressed to Plaintiff's wife is attached as EXHIBIT E and by this reference is incorporated herein.

13. As a result of Defendant's acts alleged above, Plaintiff suffered frustration, embarrassment, loss of credit, and Plaintiff incurred expenses for legal representation.

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IV. CLAIM FOR RELIEF

14. Plaintiff repeats and realleges and incorporates by reference to the foregoing paragraphs.

15. Defendant violated the FDCPA. Defendant's violations include, but are not limited to, the following:

(a) Defendant violated 15 U.S.C. § 1692e(2)(A), and (10) by misrepresenting that

Plaintiff was liable for a debt by their correspondence, by filing suit, and by making reports against Plaintiff's credit.

(b) Defendant violated 15 U.S.C. § 1692e(2)(A), and (10) by filing a legally baseless

claim against Plaintiff and failing to competently evaluate the facts to determine if Plaintiff could be liable for the debt.

(c) Defendant violated 15 U.S.C. §1692f(1) by attempting to collect from Plaintiff

amounts neither authorized by the agreement nor permitted by law.

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16. As a result of the foregoing violations of the FDCPA, Defendant is liable to Plaintiff for declaratory judgment that Defendant's conduct violated the FDCPA, actual damages, statutory damages, and costs and attorney's fees.

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages of \$1,000;
- C. Statutory damages of \$1,000 pursuant to 15 U.S.C. § 1692k;
- D. Costs and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k; and
- E. For such other and further relief as the court may deem just and proper.

Respectfully submitted this 14th day of June 2007,

by /s/ E. Clarke Balcom
E. Clarke Balcom
OSB No. 01195
(503) 224-5950
Attorney for Plaintiff

DEMAND FOR JURY TRIAL

Please take notice that Plaintiff demands trial by jury in this action.

/s/ E. Clarke Balcom
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Attorney for Plaintiff